IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10040 of 2005

Between:

P. Sulakshna, D/o. Late P. bhushanam,
Vakathippa Village, U. Kothapalli Mandal, E.G.District.

..... PETITIONER

AND

1 The District Cooperative Central Bank Ltd., E.G. District, rep. by its Chair-Person.
2 The District Cooperative Central Bank Ltd., Kakinada, rep. by its Genel Manager.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction, more particularly or respondents in not appointing the petitioner on compassionate grounds as per the settlement dt. 25.3.1997 and the L.Dis.A6/8583/2004, as arbitrary, illegal, violative of the Fundamental Right guaranteed under Article 16 of the Constitution of India and consequently direct the respondents to release the death benefits and to consider the petitioner's case for appointment and pass.

Counsel for the Petitioner: MR.GODEY SATISH

Counsel for the Respondent No.: MR.C.V.MOHAN REDDY

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

In this Writ Petition, the petitioner is seeking a Writ of Mandamus, declaring the action of the respondents in not appointing the petitioner on compassionate grounds as per the settlement dated 25.3.1997 and the directions of District Collector dated 22.12.2004 made in L.Dis. A6/8583/2004 as arbitrary, illegal and consequently direct the respondents to release the death benefits and to consider the case of the petitioner for appointment on compassionate grounds.

The learned counsel appearing for the petitioner submits that the second respondent is not considering the case of the petitioner for appointment on compassionate grounds in spite of the directions issued by the Collector, East Godavari District dated 22.12.2004 in L.Dis.A6/8583/2004.

As the second respondent is not considering the case of the petitioner, without going into the merits of the case, I deem it appropriate to direct the second respondent to consider the case of the petitioner for appointment on compassionate grounds, taking into consideration of the directions issued by the Collector, East Godavari District, dated 22.12.2004, within a period of four weeks form the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 28.04.2005

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To

1 The District Cooperative Central Bank Ltd., E.G. District, rep. by its Chair-Person.
2 The District Cooperative Central Bank Ltd., Kakinada, rep. by its Genel Manager.

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